

Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 02520 180420Z
ACTION EB-08

INFO OCT-01 EUR-12 IO-13 ISO-00 AGRE-00 CIAE-00
COME-00 INR-10 LAB-04 NSAE-00 SP-02 STR-07
TRSE-00 FRB-03 OMB-01 L-03 STRE-00 OIC-02 AF-10
ARA-10 EA-10 NEA-10 SS-15 NSC-05 /126 W
-----086941 181338Z /17

R 171629Z FEB 78
FM USMISSION GENEVA
TO SECSTATE WASHDC 6125
INFO AMEMBASSY BRUSSELS

LIMITED OFFICIAL USE GENEVA 02520

USEEC

PASS STR ELECTRONICALLY FOR MIKE SMITH

E.O. 11652: N/A
TAGS: ETRD
SUBJECT: TEXTILES: EC RESERVE ON MFA RENEWAL

REF: SEOUL 1287

1. USTSB REP'S VIEW OF PRACTICAL EFFECT OF EC RESER-
VATION HAS NOT CHANGED SINCE JANUARY CONVERSATIONS
WITH SMITH.

2. FROM SUBSEQUENT CONVERSATIONS WITH LOCAL AND BRUSSELS
EC REPS CONCERNED WITH TEXTILE MATTERS, US REP REMAINS
CONVINCED THAT EC'S MOTIVATION IN PLACING "RESERVATION"
Arose: A) FROM COMMISSION'S COMMITMENT TO MEMBER STATES
THAT EC "DEFINITIVE" ACCEPTANCE MFA WAS TO BE CONDITIONED
ON CLEAR AND FORMAL UNDERSTANDING THAT COMMISSION WOULD
HAVE CONCLUDED (A PRIORI) ADEQUATE NUMBER SATISFACTORY
BILATERALS RECOGNIZING PRINCIPLES SET FORTH IN
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 02520 180420Z

COM.TEX/W/47; B) FROM FACT THAT IT WAS IMPOSSIBLE FOR
COMMISSION TO FORMALLY CONCLUDE THESE BILATERALS BEFORE
DEC 31 EXPIRY OF MFA; AND, C) FROM COMMISSION'S BELIEF
THAT RESERVATION WOULD PRESENT DETERRENT TO THOSE EC
TRADING PARTNERS WHICH MIGHT BE INCLINED TO DELAY FORMAL
BILATERAL AGREEMENT IN HOPE OF "REOPENING" NEGOTIATIONS
IN TSB. LANGUAGE OF PARA 2 OF EC RESERVATION APPEARS

THREATEN REJECTION BY EC ITS MFA OBLIGATIONS VIS-A-VIS SUCH TRADING PARTNERS IN ABSENCE FORMAL BILATERAL AGREEMENTS AND, INTERPRETED IN THE STRICTLY LEGAL SENSE, VIS-A-VIS ANY PARTICIPANT WITH WHICH EC HAD NO BILATERAL AGREEMENT.

3. SINCE IT NOT POSSIBLE EXCLUDE A SITUATION WHERE EC MIGHT ACT TO WAIVE UNILATERALLY ITS MFA OBLIGATIONS VIS-A-VIS U.S. IN DEROGATION U.S. MFA RIGHTS (DESPITE ABSENCE PROTEST BY ANY OTHER PARTICIPANTS), U.S. STANCE ON EC RESERVATION, PERHAPS, SHOULD BE CONSIDERED IN LEGAL TERMS. IN ORDER PROVIDE FULL LEGAL PROTECTION FOR U.S. RIGHTS, WE MAY WISH CONSIDER FILING A LETTER WITH TC CHAIRMAN LONG WHEREIN WE: A) REFER TO EC'S RESERVATION (TEXT OFFICIALLY CIRCULATED FOR FIRST TIME AS COM.TEX/9 OF FEB 6, 1978), B) POINT OUT THAT, AS MFA PARTICIPANT NOT HAVING BILATERAL AGREEMENT WITH EC, U.S. CANNOT ACCEPT EC RESERVATION AS APPLICABLE TO U.S.; AND, C) IF DESIRABLE, INCLUDE LANGUAGE RESERVING OUR POSITION AS TO ITS APPLICABILITY TO ANY OTHER MFA PARTICIPANT.

4. IN ORDER AVOID, IF POSSIBLE, CREATING PROBLEMS FOR EC COMMISSION WITH MEMBER STATES ON ONE HAND AND THOSE TRADING PARTNERS STILL TARDY IN FORMAL CONCLUSION BILATERALS ON THE OTHER HAND, WE SHOULD DISCUSS PROBLEM WITH EC BEFORE FILING A COUNTER RESERVATION. U.S. REP LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 02520 180420Z

WOULD NOT BE SURPRISED IF SUCH DISCUSSION DID NOT PRODUCE COMMITMENT BY EC TO WITHDRAW RESERVATION AS SOON AS BILATERALS ARE FORMALLY IN PLACE IF SUCH COMMITMENT NOT FORTHCOMING, WE WOULD APPEAR HAVE NO ALTERNATIVE OTHER THAN SUBMIT COUNTER RESERVATION PROTECTING OUR RIGHTS AS LONG AS EC RESERVATION REMAINED VALID.

5. FOLLOWING CIRCULATION COM.TEX/9 REFERRED TO ABOVE (AVAILABLE TO TSB AT SESSION FEB 13-15), U.S. REP HAS HEARD NO PROTEST WHATSOEVER EITHER IN TSB OR FROM OUTSIDE INTERESTED CONTACTS. THERE WOULD APPEAR TO BE TACIT RECOGNITION THAT RESERVATION WAS RESULT OF COMMISSION'S INTERNAL EXIGENCIES AND THAT, AS A PRACTICAL ISSUE, IT WOULD DISAPPEAR FOLLOWING FORMAL CONCLUSION EC BILATERALS.

6. U.S. TSB REP WOULD BE MOST INTERESTED IN L/EB'S VIEWS ON THIS QUESTION. VANDEN HEUVEL

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXTILES, REGIONAL ORGANIZATIONS, TRADE VISITS
Control Number: n/a
Copy: SINGLE
Draft Date: 17 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA02520
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780076-0024
Format: TEL
From: GENEVA USEEC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780243/aaaabjva.tel
Line Count: 113
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 13fca2d4-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 SEOUL 1287
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3564718
Secure: OPEN
Status: NATIVE
Subject: TEXTILES: EC RESERVE ON MFA RENEWAL
TAGS: ETRD
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/13fca2d4-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014